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BRITISH COLUMBIA

SPECIAL COMMITTEE ON THE CITIZENS' ASSEMBLY ON ELECTORAL REFORM

FINAL REPORT

FIFTH SESSION, THIRTY-SEVENTH PARLIAMENT

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February 8, 2005

To the Honourable,
The Legislative Assembly of the
Province of British Columbia
Victoria, British Columbia

Honourable Members:

I have the honour to present herewith the *Final Report* of the Special Committee on the Citizens' Assembly on Electoral Reform.

The *Final report* covers the work of the Committee from November 3, 2004 to February 7, 2005.

We would like to thank Dr. Blaney, Chair of the Citizens' Assembly as well as senior staff of the Citizens' Assembly for their informative and enthusiastic updates. We would also especially like to thank the 160 British Columbians who came together to make this experiment in deliberative democracy such a success.

Respectfully submitted on behalf of the Committee.

Jeff Bray, MLA
Chair

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COMPOSITION OF THE COMMITTEE

MEMBERS

Jeff Bray, MLA	Chair	Victoria-Beacon Hill
Kevin Krueger, MLA	Deputy Chair	Kamloops-North Thompson
Elayne Brenzinger, MLA		Surrey-Whalley
Blair Lekstrom, MLA		Peace River South
Joy K. MacPhail, MLA		Vancouver-Hastings
Rob Nijjar, MLA		Vancouver-Kingsway
Judith Reid, MLA		Nanaimo-Parksville

CLERK TO THE COMMITTE

Craig James, Clerk Assistant and Clerk of Committees

COMMITTEE RESEARCHER

Jonathan Fershau, A/Committee Research Analyst

TERMS OF REFERENCE

On March 4, 2004, the House approved the following motion to appoint and empower the Special Committee on the Citizens' Assembly on Electoral Reform:

That a Special Committee on the Citizens' Assembly on Electoral Reform be appointed and authorized to receive reports from the chair of the Citizens' Assembly on the progress of the Citizens' Assembly's work.

The Special Committee so appointed shall have the powers of a Select Standing Committee and is also empowered:

(a) to appoint of their number one or more sub-committees and to refer to such sub-committees any of the matters referred to the Committee;

(b) to sit during a period in which the House is adjourned, during the recess after prorogation until the next following Session and during any sitting of the House;

(c) to adjourn from place to place as may be convenient; and

(d) to retain personnel as required to assist the Committee;

and shall report to the House on the matters referred to the Committee as soon as possible or following any adjournment, or at the next following Session, as the case may be; to deposit the original of its reports with the Clerk of the Legislative Assembly during a period of adjournment and upon resumption of the sittings of the House, the Chair shall present all reports to the Legislative Assembly.

ACKNOWLEDGEMENTS

The Special Committee would like to recognize the invaluable contribution made by Dr. Jack Blaney, Chair of the Citizens' Assembly on Electoral Reform. His tireless dedication and commitment to the process of deliberative democracy has established British Columbia as a leader in reinvigorating parliamentary democracy in both Canada and the world.

The Special Committee would also like to acknowledge the work of the senior staff of the Citizens' Assembly, who provided committee members with constructive information on the Citizens' Assembly process and its ultimate decision to recommend British Columbia - Single Transferable vote (BC-STV) for inclusion as a referendum question at the May 17, 2005 provincial general election. Senior staff members included Dr. Ken Carty, chief research officer; Dr. Campbell Sharman, associate research officer; Dr. Leo Perra, director of operations; Marilyn Jacobson, director of communications; Don MacLachlan, associate director of communications; Susanna Haas, project coordinator and member liaison; and Christina Wong, executive assistant to the Chair.

We would also like to thank those who worked behind the scenes to make this process such a success: the office staff, discussion group facilitators and note-takers, and the academic and training consultants who provided support to the Citizens' Assembly process.

Finally, we would like to thank the 160 British Columbians who volunteered their time and commitment to advance electoral reform in British Columbia. Collectively, they have exemplified respect, dignity, intelligence, and a common desire to make British Columbia a better place to live.

WORK OF THE COMMITTEE

On March 4, 2004, the Legislative Assembly approved a motion instructing the Special Committee on the Citizens' Assembly on Electoral Reform to receive reports from the Chair of the Citizens' Assembly on the progress of the Citizens' Assembly's work.

In previous reports, the Committee unanimously approved the nomination of Dr. Jack Blaney as Chair of the Citizens' Assembly, and confirmed Dr. Blaney's recommendations for senior staff positions. The Committee also made inquiries into the delegate selection process, the Citizens' Assembly's communications plan, delegate and public education, and the proposed format for public hearings.

This report summarizes the briefings the Committee has received from Dr. Blaney and senior staff of the Citizens' Assembly on Electoral Reform from April 2004 to December 2004. During this period, the Citizens' Assembly conducted and concluded its work — culminating in the release of the Citizens' Assembly's final report on December 10, 2004.

Minutes and transcripts of committee proceedings, as well as previous committee reports, are available at http://www.leg.bc.ca/cmt. Additional information concerning the work of the Citizens' Assembly on Electoral Reform is available at http://www.citizensassembly.bc.ca/.

List of Committee Meetings

April 7, 2004	Vancouver	Briefing
July 16, 2004		Written Brief Received
October 29, 2004	Vancouver	Briefing
December 14, 2004	Vancouver	Briefing
February 7, 2005	Victoria	Deliberations

ELECTORAL REFORM REFERENDUM

On December 10, 2004, the Citizens' Assembly on Electoral Reform proposed that the following referendum question appear on the May 17, 2005 ballot at the general provincial election:

Should British Columbia change to the BC-STV electoral system as recommended by the Citizens' Assembly on Electoral Reform? Yes/No

PROGRESS REPORTS

Overview

For the last 21 months, the members of the Special Committee on the Citizens' Assembly on Electoral Reform received briefings from the senior staff of the Citizens' Assembly on Electoral Reform and reviewed the proceedings of the independent Citizens' Assembly.

From the outset, we were continually impressed by the dedication and commitment to the process of electoral reform displayed by both senior staff and the individual members of the Citizens' Assembly. At all meetings, committee members conveyed that they were struck by how well the electoral reform process unfolded. The Committee is pleased that the Citizens' Assembly arrived at a consensus decision and that Citizens' Assembly members continue to be advocates for BC-STV.

During the Committee's meetings with Dr. Blaney and senior staff of the Citizens' Assembly, committee members had the opportunity to clarify some of the lingering issues related to electoral reform. Many of the questions posed were derivative of concerns Members had heard while working in their constituencies. As BC-STV is a marked change from the single member plurality system currently used in British Columbia, the Committee felt that it was important to examine the nuances of the proposed BC-STV system.

The following section highlights some of the areas in which we asked the witnesses for further clarification. In putting these issues on the public record, it is this Committee's hope that the public will inform themselves about the workings of both the BC-STV and the single member plurality electoral system in advance of the 2005 referendum.

April 7, 2004 Meeting

On April 7, 2004, Members of the Special Committee received a progress report from Dr. Jack Blaney, Chair of the Citizens' Assembly on Electoral Reform, and senior staff members. In advance of the meeting, committee members were provided with two documents: *A Preliminary Statement to the People of British Columbia* and the *Citizens' Assembly's Activity Report – April 7, 2004*.

Preliminary statement on electoral reform

On March 21, 2004, the Citizens' Assembly on Electoral Reform released its *Preliminary Statement to the People of British Columbia*. The eight-page document included an overview of the goals and objectives of the Citizens' Assembly and the progress of the Citizens' Assembly in evaluating different electoral systems used throughout the world. In addition, the *Preliminary Statement* highlighted the strengths and weaknesses of the single member plurality electoral model used in British Columbia; the trade-offs between local representation and proportionality in different electoral systems; as well as information on the Citizens' Assembly public hearings process.

After hearing about the work that went into developing of the *Preliminary Statement*, Members questioned the witnesses on the tradeoffs between local representation and proportionality with respect to alternative electoral systems. The chief research officer responded that members of the Citizens' Assembly intended that the issue of proportionality

be considered in tandem with issues of local representation, in order to stress the trade-offs that exist in various electoral systems. In highlighting proportionality as a key variable, he stated that it was not the Citizens' Assembly's intent to limit discussion on electoral reform to proportional representation models.

Public consultation process

Members also sought information on the form of the public consultation process. Specifically, they requested information on how locations for public hearings were chosen; contingency plans for higher than expected turnouts; format of the public hearings; and whether preference was to be given to local presenters.

The director of operations responded that in planning the public hearings, one goal was to minimize the amount of distance that potential participants would need to travel. Accordingly, meetings were scheduled in communities throughout the province — not just in major centres. In urban areas, the public hearings would be held in rooms that could accommodate from 60 to 100 people. In smaller communities, rooms that could hold 30 to 50 people were chosen. In addition, many facilities were selected because of their flexibility to accommodate larger meetings, if public demand warranted. The Chair of the Citizens' Assembly also noted that every British Columbian who wished to make a presentation would be afforded the opportunity.

With respect to the format of the public hearings, the Committee was informed that all presenters would be required to pre-register for a speaking time at the public hearings. Each presenter would be given 10 minutes to make a presentation, plus an additional 10 minutes to respond to questions posed by the public and the Citizens' Assembly members in attendance. Preference would be given to presentations made by British Columbians; however, the Citizens' Assembly would not discourage presenters from outside the province from speaking if time permitted.

(After reviewing the *Final Report*, the Committee notes that in total, 49 public hearings were scheduled, with an additional hearing added in Vancouver. The 50 hearings represented a significant increase over the 30 proposed hearings recommended in the *Report on the Constitution of the Citizens' Assembly on Electoral Reform*, and provided many more opportunities for the public to comment on electoral reform.)

Written submissions

Stemming from the discussion on the public hearing process, the committee members asked the witnesses to discuss process used by the Citizens' Assembly for obtaining written submissions from the public. In particular, committee members wanted to ensure that written submissions would be given equal consideration to that of oral presentations.

In response, the Chair of the Citizens' Assembly stated that all written submissions would be made available to members of the Citizens' Assembly, as well as to the public. The staff of the Citizens' Assembly would also provide abstracts of all submissions on its website.

(In total, the Citizens' Assembly on Electoral Reform received 1,603 written submissions from 1,430 individuals.)

Citizens' Assembly website

The Committee also asked for a summary of information contained on the Citizens' Assembly's website as well as usage statistics. In response, the director of operations stated that the staff maintained two websites: a comprehensive public site and a password-protected site for members of the Citizens' Assembly. The public site contains audio, video, and PowerPoint presentations made at the Citizens' Assembly meetings, as well as the educational material handed out to members. In addition, the public site provided access to all written submissions received, a repository of all news releases and reports issued by the Citizens' Assembly, as well as a historical database of news media coverage. The password-protected, member-only site contained a discussion forum to allow members to communicate with each other between meetings.

With respect to Internet usage statistics, the director of operations reported that between the website's launch on November 23, 2003 and the first week of April 2004, the Citizens' Assembly site was averaging 228 distinct visitors per day. The Citizens' Assembly website has been designed to maximize exposure on web search engines.

Television broadcasts and vignettes

In reviewing the activity report provided by the witnesses, Members noted that the Citizens' Assembly had made arrangements to broadcast the learning phase of the Citizens' Assembly's work on Hansard television. The Committee requested information on what form these broadcasts would take.

The director of communications responded that arrangements had been made to air the learning phase of the Citizens' Assembly in its entirety on the Legislative Assembly television channel. The broadcasts were scheduled to appear on weekends during the month of April. In addition, the Citizens' Assembly made provisions to webcast its deliberations through the website.

The Chair of the Citizens' Assembly then informed the Committee that the Knowledge Network was preparing three-minute vignettes designed to inform the public about the Citizens' Assembly process and to promote its public hearings process.

Public commentary by Citizens' Assembly members

Several Members had observed that some of the Citizens' Assembly members had become active in voicing a need for electoral reform in British Columbia. Committee members queried the witnesses whether the Citizens' Assembly staff had developed guidelines for public communication by individual members of the Citizens' Assembly.

The Chair of the Citizens' Assembly stated that a communications toolkit had been created and distributed to all members of the Citizens' Assembly. The toolkit urged members to be non-partisan in all their comments in order to enhance the credibility of the Citizens' Assembly final report. However, the Chair also responded that the Citizens' Assembly staff would not examine communications by members — preferring instead to rely on an open system and trust.

Citizens' Assembly budget

Members asked the Citizens' Assembly Chair to comment on whether the project was scheduled to meet budget targets. The Chair responded, "We will be on budget."

Follow-up information

On July 16, 2004, Members of the Special Committee on the Citizens' Assembly on Electoral Reform received a written activity report from the Chair of the Citizens' Assembly, Dr. Jack Blaney.

The progress report provided a review of the public hearing phase of the Citizens' Assembly. 50 public hearings had been conducted with 383 oral presentations made. The entire Citizens' Assembly then reconvened in Prince George on June 26 and 27 to discuss what they heard in the public hearings. The written submissions were also reviewed for these deliberations.

In the activity report, the Chair of the Citizens' Assembly highlighted what were perceived to be its two primary considerations of electoral reform in British Columbia: proportionality and local representation. In terms of tentative proposals for new models of electoral systems for British Columbia, mixed-member plurality and some form of single transferable ballot were seen as being desirable by members of the Citizens' Assembly.

With respect to public communication strategies, the Chair of the Citizens' Assembly reported that a variety of media products had been developed by the Citizens' Assembly to disseminate information on its work. Besides the Assembly's website — which had logged 25,000 visitors since being launched on November 23, 2003 — the Citizens' Assembly published an Assembly newsletter with a distribution of more than 1,900 subscribers. In addition, the Knowledge Network aired three, three-minute vignettes on the work of the Citizens' Assembly, and had developed a one-hour documentary for broadcast in 2005. Furthermore, Hansard TV had aired the learning sessions of the Citizens' Assembly across the province.

At the end of the activity report, Dr. Blaney reconfirmed that the Citizens' Assembly project was scheduled to be on or under budget.

October 29, 2004 Meeting

On October 29, 2004, the Committee met with the Chair and senior officers of the Citizens' Assembly on Electoral Reform to discuss the preliminary decision made by the Citizens' Assembly for electoral reform for British Columbia. The Chair of the Citizens' Assembly outlined the deliberations process leading up to the Citizens' Assembly's recommendation to put forward a referendum question on changing BC's electoral system to BC-STV.

Overview of the deliberations phase

Members requested that the Chair of the Citizens' Assembly on Electoral Reform review the process by which members of the Citizens' Assembly had arrived at the decision to recommend BC-STV as an alternative electoral system to the single member plurality system currently used in British Columbia.

The Chair of the Citizens' Assembly responded that following the June meeting in Prince George, members of the Citizens' Assembly requested that nine individuals — whose submissions were deemed to be of special merit — present their submissions to the Citizens' Assembly as a whole on September 12 and 13, 2004.

On September 25 – 26 and October 16 -17, the Citizens' Assembly set out to develop ideal models of electoral systems that would work in British Columbia. The Citizens' Assembly focused their deliberations on two classes of electoral systems: single transferable ballots and mixed proportional systems.

During the weekend of October 23 and 24, members of the Citizens' Assembly arrived at the decision to advance the made-in-B.C. proportional single transferable vote system as their recommendation to the electorate. During these deliberations, the Citizens' Assembly was first asked to decide whether a mixed member proportional (MMP) or a single transferable vote (STV) electoral system would best serve British Columbia. The Citizens' Assembly voted 31 in favour of MMP and 123 for STV. Then, on October 24, the Citizens' Assembly voted on whether they should retain the current first-past-the post electoral system for British Columbia. The vote was 11 in favour and 142 against the motion. Finally, the Citizens' Assembly voted on whether they would recommend the BC-STV electoral system to the people of British Columbia in a referendum on May 17, 2005. 146 voted in favour, while seven voted against.

BC-STV and legal precedents (October 29, 2004)

Members observed that the proposed BC-STV model permitted citizens in large urban ridings the opportunity to elect more representatives than voters living in rural and northern constituencies. Members asked whether due diligence had occurred to ensure that BC-STV would guarantee that electors or candidates under the proposed system would have equal rights or equal benefits under electoral law, as specified in the Canadian Charter of Rights and Freedoms.

In response, the director of research responded that interpretations of the Charter of Rights and Freedoms by the Supreme Court of Canada have sought to ensure that the ratio of voters to elected members must be more or less equal. As BC-STV does not significantly alter the ratios of voters to members, this is not anticipated to be a problem. Furthermore, as forms of single transferable voting occur in both Australia and Ireland — jurisdictions which share BC's

parliamentary and Westminster constitutional traditions — it is unlikely that a court challenge based on equality provisions in the Charter would be successful.

Citizens' Assembly communications strategy

Noting the importance of the decision made by the Citizens' Assembly, several committee members raised issues concerning the Citizens' Assembly's work plan for educating voters about the BC-STV electoral system.

In response, the Chair of the Citizens' Assembly stated that the archived information contained on the Citizens' Assembly's website would remain on-line for the public to peruse. As well, the Ministry of Attorney General was in the process of staffing a public education and outreach office to provide non-partisan information on both the proposed BC-STV and single member plurality electoral systems. Finally, the *Vancouver Sun* would provide the text of the *Final Report*, as well as a synopsis of the work of the Assembly in the December 11, 2004 weekend edition.

Seat vacancies

Committee members observed that the adoption of multi-member districts will have significant implications on how representatives are chosen to fill vacancies to the Legislative Assembly — due to death, resignation, or recall of a Member. Members were concerned that the recall requirement that 40 percent of registered voters sign a recall petition in an electoral district (as specified under the *Recall and Initiative Act)*, would provide an additional disincentive in larger electoral districts to launching a recall campaign.

In response, the witnesses indicated that if a single vacancy in an electoral district were to occur, the single transferable vote method (preferential voting) would be used with a candidate requiring 50 percent plus 1 of the votes cast to be elected. On rare occasions when two or more by-elections are required in the same district, the BC-STV model would be used.

With respect to recall, the chief research officer indicated that the current recall legislation is sufficient to permit recall petitions; however, he also reiterated that an examination of the current recall provisions was not part of the mandate of the Citizens' Assembly.

December 14, 2004 Meeting

On December 14, 2004, the Committee met with senior officials of the Citizens' Assembly on Electoral Reform. The purpose of the meeting was to inform the Committee of the contents of the Citizens' Assembly's final report entitled *Making Every Vote Count: The Case for Electoral Reform in British Columbia*.

Final report contents

In reviewing the contents of the Citizens' Assembly's final report, Members queried the senior staff on a pie chart that approximated the distribution of seats in the legislature (*Final Report, p. 7).* Members felt that a chart that purported to approximate the distribution of seats in the legislature was misleading as it showed seat distribution on the basis of a purely proportional electoral system. Given that there is no way of knowing how the electorate would have transferred its votes amongst the candidates in the larger ridings, some Members felt that the diagram may give the wrong impression about the true level of proportionality under the proposed BC-STV electoral system.

The director of research replied that the diagram was included to illustrate the differences in representation that may occur under a more proportional system versus the current first-past-the-post system. The chart roughly illustrates that the BC-STV system may have resulted in representatives from historically under-represented parties being elected to the Legislature.

Public education on BC-STV

Noting that the Office of the Citizens' Assembly on Electoral Reform was scheduled to cease operations on December 31, 2004, Members requested further elaboration on the proposed distribution of the Citizens' Assembly's *Final Report*. In particular, Members requested information on the roles and responsibilities of the Ministry of Attorney-General in public education; whether provisions had been made by the staff of the Citizens' Assembly for the distribution of educational resources to the province's schools and post-secondary institutions; the role of the Citizens' Assembly alumni in promoting BC-STV; and whether the government would fund Yes and No campaigns in advance of the referendum.

The witnesses responded that while the operations of the Citizens' Assembly would cease on the proposed target date, the website developed by the Citizens' Assembly would be maintained by the Ministry of Attorney General to serve as a clearinghouse of information on the electoral reform process. The website, www.citizensassembly.bc.ca, contains the Citizens' Assembly's *Final* and *Technical Reports*, comprehensive information on BC-STV (and other electoral systems), as well as a database of 1603 written submissions received by the Citizens' Assembly.

Following the closure of the Citizens' Assembly office, the Ministry of Attorney General is responsible for the distribution of the *Final Report* to every household in British Columbia. In total, 1.522 million copies of the report will be printed. In addition, the Ministry of Attorney General has committed to establishing a website and a toll-free line to provide British Columbians with information on both the current and proposed electoral systems in advance of the referendum.

With respect to public education and outreach initiatives for schools, the Citizens' Assembly developed a classroom resource guide on the Citizens' Assembly that aligns with the grade 11

social studies curriculum. Each secondary school social studies department in British Columbia was provided with a resource guide as well as copies of the *Final Report*. In addition, the Citizens' Assembly prepared a CD ROM containing information on electoral systems and electoral reform.

Libraries of all the post-secondary institutions in the province received copies of both the *Final Report* and the 280-page *Technical Report*. In addition, the Citizens' Assembly staff distributed resources to university political science departments throughout the province.

In addition, the Chair of the Citizens' Assembly indicated that many former members of the Citizens' Assembly had established an alumni association with the intention of undertaking public education and outreach. Community groups interested in learning more about electoral reform may request members to appear to discuss the proposed electoral system. The alumni association's website is located at www.bc-stv.ca. Individual members of the Citizens' Assembly have also been provided a communications toolkit, which includes copies of the Citizens' Assembly reports and backgrounders, as well as presentation materials.

Finally, the Chair of the Citizens' Assembly indicated that he anticipated that both "Yes" and "No" committees on electoral reform would emerge. However, as outlined in the 2002 Gibson *Report on the Constitution of the Citizens' Assembly on Electoral Reform*, no government funds will be provided to fund either a "Yes" or "No" campaign.

Ballots and vote counting

As BC-STV requires voters to rank order candidates on a single ballot, the Committee queried the witnesses on the ramifications the proposed electoral system would have on counting ballots. In particular, some Members requested assurances that ballots cast under the BC-STV system could be counted by hand, or, assuming the adoption of electronic voting at a polling station, that a paper record of votes cast would be possible. Furthermore, Members asked the chief research officer whether it would be possible for Elections BC to generate information on how votes are transferred throughout the multi-staged counting process.

The chief research officer responded that BC-STV was designed to permit the hand counting of ballots — although the process would take longer than under the current single member plurality system. Members of the Citizens' Assembly felt that British Columbia may wish to adopt computer-aided voting and counting by the 2009 election; however, the BC-STV counting methodology is flexible enough to permit manual voting and counting; manual voting and computer-aided counting; or computer-aided voting and counting. (For further elaboration on ballots and vote counting under BC-STV, please see Appendix C).

To ensure the validity of election results tabulated by computers, the witness stated that a computerized system can be designed that will produce an accompanying paper ballot of each individual's voting preferences. This paper ballot redundancy can be used to ensure that votes are accurately tabulated and transferred during a manual recount, if required.

The witness also indicated that the adoption of computer-aided voting and counting would likely increase the speed with which the votes are tabulated. Furthermore, a computer-assisted voting system would allow for the generation of reports by Elections BC that could indicate

either the aggregated voting preferences or the transfer of votes throughout the counting process.

Electoral boundaries

Committee members noted that the BC-STV electoral system requires the merging of existing ridings in to larger electoral districts. Members expressed reservations about whether the public had enough information on the necessary changes to the electoral boundaries to make an informed choice on electoral reform. Given the lack of population density in many regions of the province, Members expressed concerns about the amount of travel that would be required to effectively serve the much larger constituencies. In addition, Members expressed concerns that in northern ridings, the proposed BC-STV electoral model may hamper candidates originating from smaller communities, as they would be less likely to have the resources and networks to be successful vis-à-vis candidates from larger regional centres.

The chief research officer replied that an electoral boundaries commission is, by law, required to be established following the 2005 election — regardless of the outcome of the referendum. The Citizens' Assembly was not mandated to propose new electoral boundaries; however, the *Technical Report* does provide the following instructions to the boundary commission should the referendum approve electoral reform:

> *The number of members in each district will vary from two (2) to seven (7). Given that achieving proportional electoral outcomes is a primary reason for recommending BC-STV, using larger rather than smaller numbers of members per district should always be preferred when drawing district boundaries.*
>
> *While some very sparsely populated areas may require districts with as few as two members, the principle of proportionality dictates that, in the most populated urban areas, districts should be created at the upper end of the range.* (Citizens' Assembly: *Technical Report*, p. 17.)

The witnesses indicated that members of the Citizens' Assembly carefully reviewed the ramifications larger electoral districts would have on representation in northern communities. In their deliberations, the Citizens' Assembly felt that increased proportionality offset the challenges posed by larger electoral districts.

Anticipated changes

The Committee observed that if BC-STV is adopted, there will be significant implications for the roles and responsibilities of individual MLAs, the candidate selection process within political parties, as well as the operations of the Legislative Assembly. Members asked the witnesses to elaborate on these topics

Roles of individual Members

Noting that one of the primary duties of a Member of the Legislative Assembly is to assist constituents in dealings with government, committee members raised the issue that BC-STV will likely produce a hierarchy of MLAs within a riding. Whereas the current single member plurality system results in one MLA with responsibilities to the constituents within an assigned geographical territory, BC-STV will likely produce ridings with Members from different

parties occupying the same geographic territory. The Committee expressed reservations that this situation would mean that workload of government members will dramatically increase, as they would be required to handle constituent concerns from a much larger population base. Conversely, MLAs from opposition parties would see a reduced workload, as constituents' concerns migrate towards the government members. In essence, BC-STV would create additional tiers of MLAs within each riding: MLAs in the executive council, government MLAs without portfolios, and opposition MLAs.

In response, the Chair of the Citizens' Assembly stated that members of the Citizens' Assembly heard from public hearing participants that many people felt uncomfortable in approaching MLAs who were on the other side of the ideological fence to handle personal problems with government. BC-STV would likely increase the ability of citizens to approach Members more closely aligned with their political beliefs.

With respect to resources available to elected Members, the *Technical Report* of the Citizens' Assembly included a non-binding recommendation for the Legislative Assembly to increase resources available to MLAs to enhance local representation. The recommendation reads as follows:

> *Effective local representation is an important part of our political tradition and remains central to how British Columbians wish our parliamentary system to work, regardless of the electoral system used in this province. Consequently, many citizens urged us to tell the legislature that they will support efforts to make it easier for voters and MLAs to communicate with one another. This might mean more resources for members in large rural ridings to help them operate more than one constituency office, or it might mean an increase in allowances for MLAs to help them make timely and regular visits to all of the communities in their district. New technology—1-800 numbers and computer-aided communication — should also be used to bring voters and their MLAs closer together and the Legislative Assembly should publicize and support these tools.*
>
> *The physical size of ridings will increase if the province adopts BC-STV. While not a major challenge in urban areas, this change may create difficulties for voters and MLAs in remote and thinly populated rural parts of the province to have reasonable access to each other* (Citizens' Assembly, *Technical Report*, pps.15-16).

Candidate selection

Some members of the Committee expressed concerns that while advocates of BC-STV boast that the electoral system will enhance the diversity of voices in the Legislative Assembly, BC-STV may produce a net reduction in the number of candidates seeking election. As it would be nearly impossible to elect an entire party slate of Members from a single large constituency (e.g. a seven member district), Members expressed concerns that major parties will likely adopt rational choice strategies that would see them nominate only as many candidates as they could reasonably expect to win — based on past voting practices — as to ensure an efficient distribution of financial and human resources. Similarly, smaller parties would be encouraged to only run one or two candidates in an effort to prevent vote splitting. The net result would be fewer candidates running from which the electorate may choose.

In response, the director of research indicated that political parties would need to make strategic decisions on how to best elect members. In larger multi-member districts, the traditional major parties would indeed likely nominate fewer candidates than the maximum allowed. Similarly, small political parties would also only nominate one or two candidates in order to maximize vote counts. Parties would need to conduct careful calculations on whom to nominate as to appeal to a diverse electorate. In the nomination process, parties would need to consider traits such as residency, gender, ethnicity, and age so as to appeal broadly to capture and grow their parties' vote share.

The director of research also replied that one of the reasons why members of the Citizens' Assembly chose BC-STV as an alternative model was that it would act as a check on party power at the constituency level. BC- STV encourages candidates to compete for votes against candidates from other parties as well as against nominees from the same political party. Accordingly, it was hoped that in recommending BC-STV, candidates would devote greater attention to community issues in order to win or retain a seat — thereby reducing the effects of party discipline on individual members.

Implications for Parliament

Some committee members queried the director of research on whether the Citizens' Assembly had considered what impact minority parliaments and the erosion of party discipline would have on the stability of government in British Columbia. In particular, Members questioned the research director as to whether the Citizens' Assembly members were briefed on what potential ramifications to the British Columbia economy could result from an increase in minority parliaments.

In response, the director of research stated that Canada had some stable and productive minority governments at the federal level during the mid-1960s. The members of the Citizens' Assembly were briefed on the general consequences of minority parliaments and understood that a consequence of adopting a more proportional electoral system would be the increased chance of minority parliaments.

With respect to the potential economic impacts of minority parliaments, the Chair of the Citizens' Assembly responded that very few western democracies still use the single member plurality electoral system — a system which tends to create artificial majorities. The Chair pointed to European democracies such as Ireland, Germany, Sweden and Norway, all of which have coalition governments in place and remain economically competitive in the global market.

CONCLUSIONS

From its inception, the Citizens' Assembly on Electoral Reform has been a remarkable example of deliberative democracy in action. It is the belief of the Committee that the Citizens' Assembly model has served the interests of British Columbia well — providing an historic opportunity for citizens from around the province to participate in shaping our democracy. It is a credit to all those involved — the members, the senior staff, those who worked behind the scenes, and the public who participated throughout the process — that the Citizens' Assembly has been such a success.

We would like to briefly comment on the role of the Special Committee on the Citizens' Assembly on Electoral Reform. This all-party committee was established to first confirm the appointments of Dr. Blaney and his senior staff, and second to receive periodic updates on the work of the Citizens' Assembly. The second part of our mandate is unusual — our role was to act as a liaison between Members of the Legislative Assembly and an extra-parliamentary organization independent of the Legislative Assembly. It is the Committee's belief that this particular model has worked extremely well, permitting the Citizens' Assembly the autonomy to conduct its operations independently of the political environment, while permitting elected officials to maintain their oversight capacity in reviewing the Citizens' Assembly's budget, communications, and reports.

The Special Committee on the Citizens' Assembly on Electoral reform urges all British Columbians to actively learn more about the proposed BC-STV electoral system in order to make an informed choice for the May 17, 2005 referendum. As a Committee, we have decided to remain neutral on the Citizens' Assembly's proposal, leaving the decisions on whether to endorse the Citizens' Assembly's recommendation in the hands of voters. However, we do encourage all British Columbians to review the Citizens' Assembly's *Final Report* and consider carefully the materials presented on the Citizens' Assembly on Electoral Reform's website: http://www.citizensassembly.bc.ca.

The Citizens' Assembly process was a unique and exciting achievement in the revitalization of democracy in British Columbia. The referendum is the next step, giving all British Columbians an opportunity to shape our democratic future.

APPENDICES

Appendix A: Citizens' Assembly Process

Using the guidelines established in the *Report on the Constitution of the Citizens' Assembly on Electoral Reform*, the Citizens' Assembly on Electoral Reform presented the following summary work plan to the Committee.

- **Selection**: October 14 - December 22, 2003. Members were selected at 26 meetings in communities across British Columbia.
- **Learning Phase**: January 10 - March 21, 2004. Six weekend meetings were held at the Morris J. Wosk Centre for Dialogue, 580 West Hastings Street, Vancouver. Meetings were open to the public.
- **Public Hearings**: May 3 - June 24, 2004. Fifty public hearings were held throughout the province. Members were in attendance at each hearing to listen to public views. Almost 3,000 members of the public attended, and 387 presentations were made.
- **Review**: June 26 - 27, 2004. Members met in Prince George to review what they had heard from the public at the 50 hearings.
- **Summer Break**: July - August 2004. During this time members had "homework" reading and some 1,600 written submissions from the public to study.
- **Deliberation and Decision Phase**: September - November 2004. Six weekend meetings at the Morris J. Wosk Centre for Dialogue in Vancouver. Members reached their decision on October 24. A made-in-BC single transferable vote electoral system was recommended.
- **Report of recommendation**: December 10, 2004. The Citizens' Assembly reported to the Attorney General.
- **Citizens' Assembly and office disband**: December 31, 2004. The Ministry of the Attorney General took over responsibility for public education of the BC-STV system leading up to a referendum on May 17, 2004.

More information on the work of the Citizens' Assembly may be found in *Making Every Vote Count: The Case for Electoral Reform in British Columbia-Technical Report* (2004).

Appendix B: Electoral Reform Referendum Act

In advance of the deliberations by the Citizens' Assembly on Electoral Reform, Members of the Legislative Assembly unanimously approved the *Electoral Reform Referendum Act*. The legislation, which received Royal Assent on May 20, 2004, establishes that if the Citizens' Assembly recommends a new electoral model, a referendum on the proposed new model will occur in May 2005 in conjunction with the next provincial general election.

Under the *Electoral Reform Referendum Act*, the results of a referendum will be binding upon government and that pre-requisite amendments to the Elections Act must be made by government in advance of the May 2009 general election.

The referendum on electoral reform will be conducted under the rules established in the *Referendum Act*, with two key exceptions. Because a positive vote on changing British Columbia's electoral system will fundamentally change the relationship between citizens and politicians, an approval threshold of 60 percent or greater of the popular vote province-wide and a simply majority in at least 48 of the province's 79 electoral districts (60 percent of the electoral districts) is required. The double majority provisions contained in the *Electoral Reform Referendum Act* will ensure that there is significant voter support for the proposed new model in different regions of the province.

HONOURABLE GEOFF PLANT
ATTORNEY GENERAL AND MINISTER
RESPONSIBLE FOR TREATY NEGOTIATIONS

BILL 52 — 2004

ELECTORAL REFORM REFERENDUM ACT

Contents

Section

1 Referendum required if Citizens' Assembly recommends change
2 Referendum to be conducted under Referendum Act
3 Special rules for electoral reform referendum
4 Commencement

HER MAJESTY, by and with the advice and consent of the Legislative Assembly, enacts as follows:

Referendum required if Citizens' Assembly recommends change

1 If the Citizens' Assembly on Electoral Reform recommends, in its final report, a model for electing Members of the Legislative Assembly that is different from the current model, a referendum respecting the recommended model must be held in conjunction with the general election required under the *Constitution Act* to be held in May 2005.

Referendum to be conducted under Referendum Act

2 Subject to this Act, the *Referendum Act* applies to a referendum required under section 1.

Special rules for electoral reform referendum

3 (1) Section 3 of the *Referendum Act* does not apply and, instead, the Chief Electoral Officer must announce the results of the referendum in a manner that the Chief Electoral Officer considers will inform the electorate of the results of the referendum.

(2) Section 4 of the *Referendum Act* does not apply and, instead, the results of a referendum under section 1 are binding on the government only if

(a) at least 60% of the validly cast ballots vote the same way on the question that is stated for the referendum, and

(b) in at least 48 of the 79 electoral districts, more than 50% of the validly cast ballots vote that same way on the question.

(3) Section 5 of the *Referendum Act* does not apply and, instead, if the results of a referendum under section 1 are binding on the government, the government is required to introduce the legislation needed to implement the results in sufficient time for the new electoral model to be in place for the general election required under the *Constitution Act* to be held in May 2009.

Commencement

4 This Act comes into force on the date of Royal Assent.

APPENDIX C: BALLOTS AND VOTE COUNTING UNDER BC-STV

The Citizens' Assembly on Electoral Reform provided a mock ballot to illustrate how voting under the BC-STV system would work. As political parties would continue to play an important role in shaping public opinion, the Citizens' Assembly recommended that candidates be grouped by party on the ballot. However, in order to ensure that no candidate or party benefits from the order that names appear on the ballot, the Citizens' Assembly also recommended that both candidates and parties be randomly ordered on individual ballots. For illustrative purposes, a mock ballot is provided below.

A BC-STV Ballot

BC-STV BALLOT

- Three members to be elected
- Number the boxes in the order of your choice
- Write the number "1" in one of the boxes and then show as many other preferences as you wish.

Smith, Freda	APPLE PARTY	4
Gill, Steven	APPLE PARTY	1
Howard, Brenda	APPLE PARTY	2
Roberts, Saul	INDEPENDENT	3
Jansen, Doug	PEAR PARTY	6
Wong, Lisa	PEAR PARTY	
Lewis, Peter	PEAR PARTY	
Savoie, Christine	MANGO PARTY	5

Source: Citizens' Assembly, *Final Report*, p. 4.

The Citizens' Assembly also has provided a review of how votes are counted under the BC-STV system. An Flash animation has been developed illustrating the differences between BC-STV and the single member plurality electoral systems and may be viewed at http://www.citizensassembly.bc.ca/public/extra/animations.xml.

The Citizens' Assembly also has produced a written summary on counting votes under BC-STV (below).

CITIZENS' ASSEMBLY
ON ELECTORAL REFORM

BC-STV counting votes

BC-STV

Members of the Citizens' Assembly on Electoral Reform have recommended BC adopt BC-STV for future elections because it is a system in tune with the values of a great many British Columbians.

BC-STV is fair because it produces **proportional** results, it provides voters with more **choice** and more control, and it strengthens **local representation**. BC-STV is designed to **make every vote count**.

BC-STV basics

- There are fewer ridings, each electing between two and seven MLAs – depending on the population of the riding. Because each riding elects a number of MLAs, over-all results are more proportional – that is, each party's share of seats in the riding reflects its share of votes.
- Generally, parties will put forward more than one candidate in each riding – giving voters more options.
- BC-STV does not change the number of MLAs province-wide or the number of MLAs representing each region.
- BC-STV ballots allow you to vote by ranking candidates (1, 2, 3, etc).
- If your vote is not needed to elect your first choice candidate, it can be transferred to the candidate you marked on the ballot as your second preference – and so on.
- BC-STV is designed to ensure vote counting can be accurately checked and replicated.
- It is also designed to use ballot papers that can be counted by hand or by machine.

Counting the ballots

Calculating the quota

To win a seat in the legislature, a candidate must receive a minimum number of votes – called a *quota*. This quota is calculated using the number of valid ballots cast in the riding as well as the number of MLAs to be elected in that riding.

$$\text{Quota} = \frac{\text{Number of valid ballots in riding}}{\text{Number of MLAs in riding} + 1} + 1$$

Counting first preferences

After the polls close, all valid ballots are sorted and counted according to the first-preference candidate marked on each.

Eliminating candidates

If no candidate has the minimum number of votes (quota) needed to be elected, the candidate with the fewest votes is eliminated.

All of the eliminated candidate's votes are then redistributed to the second-preference candidates as marked on each ballot.

Transferring surpluses

It is rare for an elected candidate to gain exactly the quota of votes required to be elected. Successful candidates usually receive more votes than needed to win a seat. Since these *surplus* votes are not needed to elect the candidate, they could be considered wasted.

But, because BC-STV is designed to make as many votes as possible count fully and fairly, these surplus votes are redistributed. But which votes should be selected to redistribute?

To be fair and to ensure vote counting can be precisely repeated, every ballot cast for the newly elected candidate is redistributed to the next-ranked candidate marked on each ballot. But, not at full value, because a portion of each vote has already been used to elect a candidate.

The portion of each vote used to give the elected candidate a quota, stays with that candidate. The unused portion is transferred. To determine what fraction of the vote should move on to the next preference, the *transfer value* is calculated.

$$\text{Transfer Value} = \frac{\text{Candidate's surplus votes}}{\text{Candidates' total votes}}$$

So, if a winning candidate has twice as many votes as needed to be elected, instead of transferring half those votes at full value, all of the votes are transferred at half value to the candidates ranked next on each ballot. The *transfer value* in this case is .5 – or ½.

Counting continues until all seats are filled

Counting continues as follows:

- The surpluses of elected candidates are redistributed at the appropriate transfer value;
- If there are still unfilled seats and no surpluses from elected candidates to redistribute, the least popular candidate is eliminated and those votes are redistributed at full value;
- This continues until all seats have been filled.

Exhausted ballots

If, in the course of counting, a ballot should be transferred, but there are no more preferences indicated on the ballot, it is considered *exhausted* and is put aside.

This can happen when:

- The voter marks very few preferences, or
- All the preferred candidates have already been elected and/or excluded.

By-elections

If a seat becomes vacant between elections, a by-election is held in that riding to elect a new MLA. BC-STV specifies that by-elections will use the same type of ballot used in regular BC-STV elections – called a *preferential ballot*.

If only one MLA is to be elected, candidates require a majority of votes (50% + 1) to be elected. If more than one vacancy is to be filled in a district, the normal BC-STV vote counting procedures and quota calculation are used.

Elections BC

As today, Elections BC will supervise elections and scrutineers will ensure accurate ballot counts.

Further information

For a wealth of information on the Citizens' Assembly, BC-STV or other electoral systems, see **www.citizensassembly.bc.ca**. In particular, for more detail on BC-STV ballot counting, see:

- the technical volume of the Final Report
- an animation of BC-STV ballot counting

Step 1
All the votes are counted and sorted by the voters' first preferences.

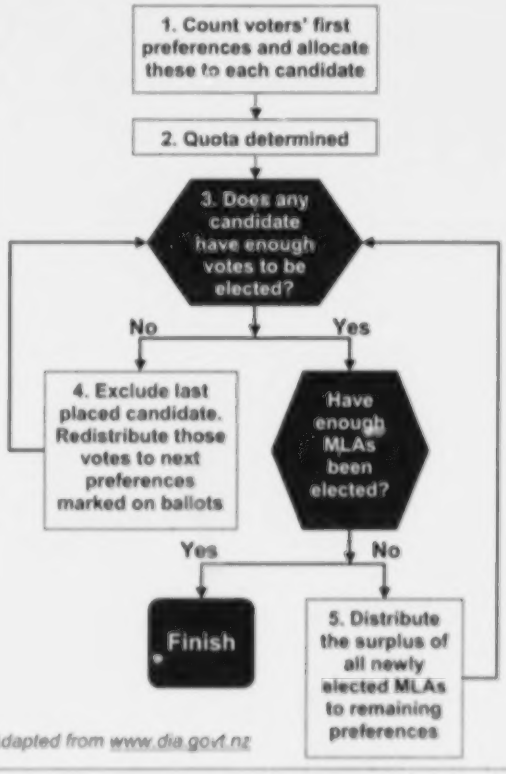
Step 2
The minimum number of votes required to win a seat is determined. This number depends on how many valid votes are cast and how many MLA seats are available to be filled.

Step 3
Does any candidate have enough votes to win a seat? If no, go to Step 4.
If yes, go to Step 5.

Step 4
Exclude the candidate with the fewest votes. Redistribute these votes – at full value – to the next preference shown on each ballot.
Add up new vote totals and return to Step 3.

Step 5
If the successful candidate has more votes than needed to win a seat, these *surplus* votes are redistributed to the remaining candidates – at a calculated transfer value – based on the next preference listed on each ballot.
Add up new vote totals and return to Step 3.

Counting Continues...
Repeat Steps 3 to 5 until all seats are filled.


1. Count voters' first preferences and allocate these to each candidate
2. Quota determined
3. Does any candidate have enough votes to be elected?
No
Yes
4. Exclude last placed candidate. Redistribute those votes to next preferences marked on ballots
Have enough MLAs been elected?
Yes
No
Finish
5. Distribute the surplus of all newly elected MLAs to remaining preferences

Adapted from www.dia.govt.nz